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11 FACEBOOK, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION
15

16 FACEBOOK, INC.,

17 Plaintiff,

18 v.

19 POWER VENTURES, INC. a Cayman Island
corporation, STEVE VACHANI, an individual;
20 DOE 1, d/b/a POWER.COM, DOES 2-25,
inclusive,
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22 Defendants.
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Case No. 5:08-cv-05780-LHK

**FACEBOOK, INC'S NOTICE OF PRIOR
TAXABLE COSTS**

Dept: Courtroom 8, 4th Floor
Judge: Hon. Judge Lucy H. Koh

1 Plaintiff Facebook, Inc. ("Facebook") hereby requests the court to reinstate the prior awarded
2 costs from January 2, 2014, Dkt No. 390, due to its prevailing on its claims for violations of the
3 Computer Fraud and Abuse Act ("CFAA") and California Penal Code Section 502(c) and being
4 awarded both a permanent injunction and \$79,640.50 in damages as part of this Court's Judgment
5 entered on May 2, 2017. Dkt. No. 437. Facebook also separately received \$39,796.73 in discovery
6 sanctions from both Defendants as part of the same Judgment. *Id.*

7 Facebook previously filed its bill of costs (Dkt Nos. 382-383) following the entry of
8 Judgment in Plaintiff's favor on Sept. 25, 2013. Dkt. No. 374. Power filed its opposition on
9 November 22, 2013. Dkt. No. 385. Facebook filed a notice of non-opposition to Defendants'
10 opposition on December 12, 2013. Dkt. 388. This Court then awarded Facebook its costs. *See*
11 Exhibit 1 (Dkt. No. 390).

12 Upon remand from the Ninth Circuit this Court held a Case Management Conference on
13 Feb. 15, 2017. Dkt. No. 414. At that conference costs were discussed and that costs would only be
14 awarded upon a new final judgement. 2/15/2017 Tr. 5:25-6:2.

15 Facebook now asks the court to re-order the prior taxable costs. Facebook is further entitled
16 to post-judgment interest on this amount pursuant to 28 U.S.C. § 1961 compounded at the rate of
17 0.11% -- the rate applicable¹ on September 25, 2013, when this Court originally entered Judgment
18 on the relevant claims. Dkt. No. 374. Facebook also notes that they are filing concurrently a
19 supplemental request for costs incurred post-remand.

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28 ¹ See the federal post-judgment interest rate applicable for the week ending September 20, 2013,
available at <http://www.utd.uscourts.gov/documents/int2013.html>

1 Dated: May 16, 2017

Respectfully Submitted,

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3 By: I. NEEL CHATTERJEE

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